

United States District Court  
For The Western District of North Carolina

UNITED STATES OF AMERICA

V.

ERIC BERNARD LOWERY  
(Name of Defendant)

AMENDED JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

Case Number: 3:01CR151-1-T  
USM Number: 17365-058

FILED  
STATESVILLE, N.C.

FEB 27 2006

Date of Original Judgment: August 18, 2003

(Or Date of Last Amended Judgment)

Richard A. Culler  
Defendant's Attorney

U.S. DISTRICT COURT  
W. DIST. OF NC

Reason for Amendment:

- |  |   |
|--|---|
| <input type="checkbox"/> Correction of Sentence on Remand (Fed. R. Crim. P. 35(a))                     | <input type="checkbox"/> Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))   |
| <input checked="" type="checkbox"/> Reduction of Sentence for Changed Circumstances (Fed. R. P. 35(b)) | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))               |
| <input type="checkbox"/> Correction of Sentence by Sentencing Court (Fed. R. Crim. P.)                 | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Retroactive to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))           |
| <input type="checkbox"/> Correction of Sentence for Clerical Mistake (Fed. R. Crim. P.)                | <input type="checkbox"/> Direct Motion to District Court <input type="checkbox"/> 28 U.S.C. § 2255 or <input type="checkbox"/> 18 U.S.C. § 3559(c)(7) |
|  | <input type="checkbox"/> Modification of Restitution Order 18 U.S.C. § 3664   |

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

THE DEFENDANT:

- ☒ pleaded guilty to count(s) 2s, 3s, 5s & 6s of the superseding bill of indictment.  
☐ Plead nolo contendere to count(s) which was accepted by the court.  
☐ Was found guilty on count(s) after a plea of not guilty.

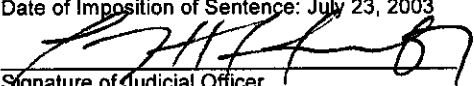
Title and Section	Nature of Offense	Date Offense Concluded	Counts
18:2113(d) & 2	Armed bank robbery & aiding & abetting	6/26/01 7/24/01	2s 5s
18:924(c) & 2	Carrying and brandishing a firearm during and in relation to a crime of violence & aiding & abetting	6/26/01 7/24/01	3s 6s

The Defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 reference to Booker, and 128 U.S.C. 3553(a).

☒ The Defendant has been found not guilty on count(s).  
Count(s) original bill of indictment, counts 1 and 4 of the superseding bill of indictment and the second superseding bill of indictment (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: July 23, 2003

  
Signature of Judicial Officer

Lacy H. Thornburg  
United States District Judge

Date: 2-24-06

Defendant: ERIC BERNARD LOWERY  
Case Number: 3:01CR151-1-T

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### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TWO-HUNDRED TWENTY NINE (229) MONTHS, with all other terms and conditions of the Judgment to remain in full force and effect.

☐ The Court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ At        On       .

☐ As notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ Before 2 pm on .

☐ As notified by the United States Marshal.

☐ As notified by the Probation or Pretrial Services Office.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ To \_\_\_\_\_

At \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By: \_\_\_\_\_  
Deputy Marshal